

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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CHAPTER 13

In Re:

CASE NO. 1-20-41579-CEC

Victor Vidal,

Debtor(s).

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**ORDER GRANTING IN REM RELIEF AND/OR IN THE ALTERNATIVE FOR AN ORDER
GRANTING RELIEF FROM THE AUTOMATIC STAY, WITH PREJUDICE (CEC)**

WHEREAS, pursuant to the motion of the secured creditor, Wells Fargo Bank, N.A., and/or its successors and assigns (the “Secured Creditor”) for an Order modifying the Automatic Stay in this proceeding by permitting said secured creditor to foreclose and to exercise all of its right and remedies with respect to its collateral for the indebtedness of Debtor with respect to the premises commonly known as 2013 Union Street, Brooklyn, NY 11212, (the “Property”) of which the Debtor, the owner of record; and

NOW, on motion of STEIN, WIENER & ROTH, L.L.P., attorneys for the Secured Creditor, having come to be heard before this Court and no opposition having been submitted, and due deliberation having been had, it is

ORDERED, that the Secured Creditor is granted relief from the automatic stay pursuant to 11 U.S.C. § 362(d)(1) and (d)(4) to permit it to exercise all rights available to it under applicable law with respect to the Property; and it is further (CEC)

ORDERED that upon entry of the within Order and provided that this Order is recorded in conformity therewith, any future filing in any case under the Bankruptcy Code purporting to affect the Premises shall not operate as a stay against Movant, its successors and/or assigns, for a period of two (2) years marked from entry of the within Order, **compliance with applicable State laws governing notices of interests or liens in real property, this order shall be binding in any other case under the Bankruptcy**

Code purporting to affect the Property filed not later than 2 years after the date of the entry of this order (CEC) except that a Debtor in a subsequent case under the Bankruptcy Code may move for relief for such order based upon changed circumstances for good cause shown, after notice and a hearing upon separate and proper application to the Court; ~~alternatively, it is hereby~~ and it is further (CEC)

~~ORDERED~~ that any future filing by the Debtors, individually, and/or as an officer of any entity and/or any other person or entity claiming an interest in the Premises within one hundred eighty (180) days from the entry of this Order, shall not operate as an automatic stay against Movant, its successors and/or assigns, except upon separate and proper application to the Court; and it is further (CEC)

ORDERED, that the Chapter 13 Trustee shall be served with a copy of the referee's report of sale within thirty (30) days of the report [*if applicable*], and shall be noticed with any surplus monies realized from the sale of the ~~Collateral~~ Property (CEC).

~~ORDERED~~, the Secured Creditor shall be allowed attorney's fees and costs. (CEC)

**Dated: Brooklyn, New York
September 29, 2020**




Carla E. Craig
United States Bankruptcy Judge